

RESEARCH CONTRACTS BRANCH
NATIONAL CANCER INSTITUTE

REQUEST FOR PROPOSAL NUMBER: N02-CM-67000-28

Amendment No. 01

Date of Issuance: 10-24-2005

The above numbered Request For Proposal (RFP) is amended as set forth below. The hour and date specified for receipt of Offerors **is changed to Monday, November 7, 2005 at 12:00 PM Local Time.**

Offerors MUST acknowledge receipt of the amendment prior to the hour and the date specified in the solicitation or as amended, by separate letter, telegram, or Electronic Mail which includes a reference to the RFP and Amendment number(s). For your convenience, the Proposal Intent Response Form is provided in SECTION J - List of Attachments of this RFP, for this purpose.

FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERORS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER.

This Amendment revises the RFP as stated below:

The purpose of this AMENDMENT is to provide responses to the questions posed by potential offerors. **The due date is changed to Monday, November 7, 2005, at 12:00 p.m., local time, for submission of proposals.**

The following responses are provided to the questions posed by potential offerors:

Q#1: *Could you further define “single cost-reimbursement term type contract”? How does that relate to when payment is received in relation to work completion?*

A#1: **The definition of a “single cost-reimbursement term type contract” is broken down as follows:**

- (1) Only one contract will be awarded as a result of this competition.**
- (2) Under a cost-reimbursement type contract, there are uncertainties involved in performance of the contract that do not enable costs to be estimated with sufficient accuracy (such as those costs required for a fixed price contract). Therefore, the contractor is reimbursed for all reasonable, allowable, and allocable costs incurred to perform the contract.**
- (3) A “term type contract” is also referred to as a “level-of-effort contract.” This type of contract describes the scope of work in general terms and obligates the contractor to devote a specified level of effort for a stated time period. Hence, the Government is buying a specified number of labor hours rather than a specified end product (e.g., a final report of**

research accomplishing the contract's definitive goal or target).

- (4) **The contractor may bill for its incurred costs plus a fixed fee, if applicable. The fixed fee is payable based on the number of hours expended during each invoice period. Upon expiration of the contract, if the contractor has satisfied the requirements stated in the contract's Article for Level of Effort, then the contractor would receive the full fixed fee negotiated for the contract.**

Q#2: *Can you confirm the interpretation that once award notification occurs transfer of equipment and materials to the new repository must occur within a 14 day time and the new repository must be prepared to take orders within 14 days and ship orders within 21 days of award notification?*

A#2: **In order to avoid prolonged interruption of repository services, the new repository must be able to transfer all reagents and begin processing orders within the stated time.**

Q#3: *Anticipated volume of materials stored?*

A#3: **The majority of the 126,000+ vials are 1 - 3 ml. There are less than 2 dozen bottles that range from 50 - 250 ml.**

Q#4: *Anticipated shipment quantities and frequency?*

A#4: **Over 2,000 vials are shipped per year in quantities ranging from 1 to 300 at a time. There usually are between 80 and 100 shipments sent per quarter.**

Q#5: *Are there any of the biologicals that have BSL3 & 4 requirements for handling and storage?*

A#5: **No, there are no BSL3 or 4 agents stored or distributed by the repository.**

Q#6: *Are there guidelines that control and limit release of the material to outside entities, i.e. to prevent inadvertent release to undesirable entities?*

A#6: **Investigators applying to the repository for reagents must sign a Materials Transfer Agreement stating that they will not transfer the materials to another party.**

Q#7: *Who is responsible for transfer of material from the existing repository to the new contractor?*

A#7: **The new awardee would be responsible for arranging the transfer of the material to the new site. Please refer to Section L.2.b.(1) e) Transition of the RFP.**

Q#8: *Does the NCI/NIH or current entity set up and process payment for the transfer of the materials or is the contract recipient responsible for this?*

A#8: **The awardee may receive compensation for the transfer of materials. Costs will be addressed as part of the negotiation process. Please refer to Section L. identified in A#7 above.**

Q#9: *How does Article H.10. on Pg. 14 apply in a situation where the contract recipient aliquots, stores, maintains inventory, and distributes the material? It would seem that intellectual property*

issues would only involve the NCI/NIH and the entity to which the material was being sent and controlled by NCI/NIH.

A#9: It is true that this Article is unlikely to apply to the activities that historically have been carried out by the contractor. However, situations may arise in the future that result in intellectual property issues (e.g. if the contractor discovers innovative formulations for storage of aliquoted reagents); therefore, this Article is included to cover those unlikely, but possible, situations.

Q#10: *Can you clarify (12) on Pg. 32? It appears that \$500,000 is the maximum contract amount and anything over that dollar amount would have to be portioned off to a subcontractor. Is this \$500,000 maximum for the entire 5 year period or annual?*

A#10: If the total contract value exceeds \$500,000, a Small Business Subcontracting Plan is required if the awardee is a large business. A subcontracting plan is not required with the initial submission. The contract form for the Small Business Subcontract Plan is located in Section J, Attachment 6 of the RFP.

Q#11: *Does the contract recipient pay for advertising costs?*

A#11: Advertising will be reimbursed only if the Government requires the placement of an ad.

Q#12: *Can you explain the requirement to pick-up and deliver material to the Frederick Cancer Research and Development Center (FCRDC) in Frederick, Maryland within 24 hours? How would this apply to an entity that was not in close proximity to Frederick, Maryland? Would they have to subcontract with another entity to arrange for materials pick-up at and/or delivery to FCRDC?*

A#12: If the offeror is not in close enough proximity to pick up and deliver material to FCRDC within 24 hours using their own resources, then they would be expected to make appropriate arrangements to meet this requirement.

Q#13: *Can you clarify the equipment quantities and types? It appears that the Government will provide 8 storage units as noted in Attachment 14, but there also is mention on Pgs. 38/39 that there are 12 Government-owned and Contractor-owned back-up freezers. This is interpreted to mean that the Contractor is providing 4 back-up units, one each of -80 degrees C, -20 degrees C, and liquid nitrogen storage. Is this correct?*

A#13: Yes, this is correct. The awardee shall provide sufficient back-up space to allow for immediate transfer of all materials from a Government-supplied freezer that is malfunctioning, so that the integrity of the materials is not compromised.

Q#14: *Can you clarify for shipments, is the contract recipient only charging for reagent handling and shipping fees on 30 shipments/year (See (2) e) on Pg. 40)? How does this 30 number relate to the mention of 350 domestic and 75 international shipments on (2) d) of Pg. 40?*

A#14: The actual number of shipping fees that have collected, historically, is much smaller than 30 for domestic and 75 for international. We prefer that investigators provide account numbers for courier services so that the billing is automatically sent to them. However,

situations sometimes arise where an investigator cannot or does not obtain a billing account number. In those cases, the contractor pays for the shipping and seeks reimbursement from the recipient. Occasionally the shipping fee is not recovered, in which case the cost is billed to the contract and the Government is notified of the name, address and institution of the delinquent recipient. Those parties who do not reimburse for shipping costs are denied further shipments.

Q#15: *Invoicing (See Pg. 10 & Attachment 3 Pg. 2). Does this mean that for an entity ordering a sample there is not charge for the sample itself, only for handling and shipping?*

A#15: **That is correct. The reagents are provided free-of-charge but the investigator must pay for shipping costs. Generally, the investigator must supply a shipping account number. Occasionally, the contract recipient may be required to pay for shipping costs that will either be reimbursed by the investigator who received the materials or will be billed to the contract.**

Q#16: *On Pg. 40 it mentions computer systems in consultation with the Government. How can one find out what types of computer systems are required?*

A#16: **The awardee will require a software package for the purposes of tracking items a) - g) listed under L.b.c) (2) Cost Estimation. Commercial software is acceptable.**

Q#17: *Is the issuance of this Presolicitation Notice an indication that the current entity, McKesson HBOC BioServices, is no longer interested in continuing as the repository for these items or is this a formal contract process that is required to be open to other entities in addition to the entity that currently provides the service?*

A#17: **This is a re-compete of the current contract in accordance with Federal Acquisition Regulations.**

Q#18: *Is the present software tracking the inventory proprietary, if so will the awarding vendor receive this software to continue tracking of the cells? If not how would the history be downloaded if another vendor has different software?*

A#18: **There is no special software used to track the inventory. It can be easily done using Excel or Access software.**

Q#19: *Will you need additional equipment to fill this RFP?*

A#19: **It is possible that additional freezers/refrigerators will be needed if the inventory increases significantly. The awardee is responsible for the additional equipment.**

Q#20: *This is a request for a current list of biological inventory related to this project.*

A#20: **A complete inventory list is unavailable for publishing under this RFP. There are 369 different inventory items (many represent different lot numbers of the same reagent, but**

they are still given separate inventory numbers) and there are a total of 126,156 items. Most of the items are 1 - 3 ml vials, with less than 2 dozen of them being bottles (50 - 250 ml). The items are stored at 4 degrees, -20 degrees and -70 degrees.

Investigators wishing to obtain materials are directed to the BRB Repository website at:

<http://web.ncifcrf.gov/research/brb/preclin/index.html>